

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-CV-12361-NMG

JOHN NEVULIS  
Plaintiff,

v.

CITY OF BOSTON,  
Defendant.

**JOINT STATEMENT PURSUANT TO LR 16.1**

In compliance with Fed. R. Civ. P. 26(f) and Local Rule 16.1, the parties to the above captioned action conferred for the purposes of preparing an agenda of matters to be discussed at the scheduling conference; preparing a proposed pretrial schedule, including a discovery plan; and considering the option of trying this case before a magistrate judge.

The parties have conferred, pursuant to Local Rule 16.1(b)(3), and do not consent to trial of this action before a Magistrate Judge.

In addition, pursuant to Local Rule 16.1(C), Plaintiff made a written settlement proposal to Defendant's counsel.

The certificate required by Local Rule 16.1(D)(3), from Plaintiff will be provided under separate cover.

LOCAL RULE 16.1(D) PROPOSED PRETRIAL SCHEDULE

I. Discovery schedule

- A. Mandatory disclosures by a party pursuant to Rule 26 will be made by June 1, 2005.
- B. Written Discovery must be served by September 1, 2005.
- C. Depositions must be completed by December 1, 2005.
- D. The parties will identify any expert witnesses who may testify on their behalf at trial and will provide expert disclosures, as required by Fed. R. Civ. P. 26(a) (2), by November 1, 2005, or sooner as may be required pursuant to Fed. R. Civ. P. 26, 33 or 34.
- E. The parties will identify any rebuttal expert witnesses who may testify on their behalf at trial and will provide expert disclosures, as required by Fed. R. Civ. P. 26(a) (2), no later than January 1, 2005.

II. Motion Scheduling

- A. The parties shall file all dispositive motions, including Rule 56 Motions, together with supporting documents, by March 15, 2006.
- B. The Court will schedule a pre-trial conference after May 15, 2006.

Respectfully submitted,

The Plaintiff,  
By his Attorney

/s/ Francis J. Harney

---

Francis J. Harney  
6 Beacon Street  
Suite 205  
Boston, MA 02108  
(617) 227-2863

The Defendant  
By its Attorney

/s/ Kate Cook

---

Kate Cook  
BBO #650698  
Assistant Corporation  
Counsel  
City of Boston Law Dept.  
Room 615, City Hall  
Boston, MA 02201  
(617) 635-4022